

EXHIBIT B

PUBLIC VERSION

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571-272-7822

Paper 57
Date: May 11, 2022

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

SINGULAR COMPUTING LLC,
Patent Owner.

IPR2021-00165
Patent 9,218,156 B2

Before JUSTIN T. ARBES, STACEY G. WHITE, and JASON M. REPKO,
Administrative Patent Judges.

PER CURIAM.

JUDGMENT

Final Written Decision

Determining Some Challenged Claims Unpatentable

35 U.S.C. § 318(a)

Dismissing Patent Owner's Motion to Exclude

37 C.F.R. § 42.64

Granting Patent Owner's and Petitioner's Motions to Seal

37 C.F.R. §§ 42.14, 42.54

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III. CONCLUSION¹⁰

Petitioner has demonstrated, by a preponderance of the evidence, that claims 1, 2, 16, and 33 of the '156 patent are unpatentable, but has not demonstrated, by a preponderance of the evidence, that claims 3–8 are unpatentable.

¹⁰ Should Patent Owner wish to pursue amendment of the challenged claims in a reissue or reexamination proceeding subsequent to the issuance of this Decision, we draw Patent Owner's attention to the April 2019 *Notice Regarding Options for Amendments by Patent Owner Through Reissue or Reexamination During a Pending AIA Trial Proceeding*. See 84 Fed. Reg. 16,654 (Apr. 22, 2019). If Patent Owner chooses to file a reissue application or a request for reexamination of the challenged patent, we remind Patent Owner of its continuing obligation to notify the Board of any such related matters in updated mandatory notices. See 37 C.F.R. §§ 42.8(a)(3), 42.8(b)(2).

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In summary:

Claims	35 U.S.C. §	References/ Basis	Claims Shown Unpatentable	Claims Not Shown Unpatentable
1, 2, 16	103(a)	Dockser	1, 2, 16	
1, 2, 16, 33	103(a)	Dockser, Tong	1, 2, 16, 33	
1–8, 16	103(a)	Dockser, MacMillan ¹¹		3–8
1–8, 16, 33	103(a)	Dockser, Tong, MacMillan ¹²		3–8
Overall Outcome			1, 2, 16, 33	3–8

IV. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that claims 1, 2, 16, and 33 of the '156 patent have been shown to be unpatentable, and claims 3–8 of the '156 patent have not been shown to be unpatentable;

FURTHER ORDERED that Patent Owner's Motion to Exclude (Paper 46) is *dismissed*; and

¹¹ As explained above, given our disposition of the grounds based on Dockser and the combination of Dockser and Tong, we do not reach Petitioner's alternative ground asserting that claims 1, 2, and 16 are unpatentable over Dockser and MacMillan. *See supra* Section II.F.4.

¹² As explained above, given our disposition of the grounds based on Dockser and the combination of Dockser and Tong, we do not reach Petitioner's alternative ground asserting that claims 1, 2, 16, and 33 are unpatentable over Dockser, Tong, and MacMillan. *See supra* Section II.G.3.

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FURTHER ORDERED that the parties' Motions to Seal (Papers 52 and 54) are *granted*, and the unredacted confidential versions of the demonstrative exhibits (Exhibits 1098 and 2054) shall remain under seal pursuant to the default protective order previously entered in the instant proceeding.

This is a final decision. Parties to the proceeding seeking judicial review of the decision must comply with the notice and service requirements of 37 C.F.R. § 90.2.